

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

JOHN ANTONIO CRUZ,

Petitioner,

v.

**COMMONWEALTH OF
PENNSYLVANIA, et al.,**

Respondents.

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CIVIL ACTION

NO. 18-1400

ORDER

AND NOW, this _10th_ day of September, 2018, upon careful consideration of the Petition for Writ of Habeas Corpus (Doc. 2), the Report and Recommendation of the United States Magistrate Judge Lynne A. Sitarski (Doc. 5), Petitioner's Motion for Trial Transcripts and to Extend Time to File Objections to Magistrate Judge Sitarski's Re[]port and Recommendation[] (Doc. 10), Respondents' Response to Petitioner's Motion for Trial Transcripts and to Extend Time to File Objections to Magistrate Judge Sitarski's Report and Recommendation[] (Doc. 13), and Petitioner's Objections to the Report and Recommendation[] of Magistrate Judge Lynne A. Sitarski (Doc. 15), **IT IS HEREBY ORDERED AND DECREED** that:

1. The Report and Recommendation (Doc. 5) is **APPROVED** and **ADOPTED**;
2. The Petition for Writ of Habeas Corpus (Doc. 2) is **DENIED**;
3. Petitioner's Motion for Trial Transcripts and to Extend Time to File Objections to Magistrate Judge Sitarski's Re[]port and Recommendation[] (Doc. 10) is **DENIED** to the extent that it seeks trial transcripts;¹ and
4. There is no basis for the issuance of a certificate of appealability.

¹ The Court previously granted Petitioner's motion for extension of time by order dated June 18, 2018 (Doc. 12).

IT IS FURTHER ORDERED that the Clerk of Court shall mark this case as **CLOSED** for statistical purposes.

BY THE COURT:

/s/ Petrese B. Tucker

Hon. Petrese B. Tucker, U.S.D.J.